

GERALD L. SHARGEL

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May 8, 2013

By ECF

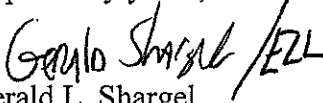
Hon. Dora L. Irizarry
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Gjevalin Berisha et al.
Cr. No. 11-486

Dear Judge Irizarry:

I write on behalf of Gjevalin Berisha to respectfully request that the Court consider the attached letters from Berisha and his family members with regard to his upcoming sentencing, scheduled for May 24, 2013.¹

Respectfully yours,


Gerald L. Shargel

cc: Steven Tiscione
Assistant United States Attorney

Mary Ann Betts
Senior United States Probation Officer

(by email)

¹ These letters were received at my office on May 7, 2013.

Dear Judge Irizarry,

1

I am writing to you to ask you to be as lenient as possible at my upcoming sentencing. I accept full responsibility for my actions. I know that what I did was illegal and wrong. I was living my life the wrong way for too long. I am ready to change and to become a productive person. Nothing in this letter is intended as an excuse for my actions. I would just like to explain to you how difficult it has been to be locked up for the past three years and to ask to be as lenient as possible with me so that I can move forward with my life.

When I began my involvement with selling marijuana, I was 20 years old and new to this country. I had family members here already who were hardworking people. But I let myself be influenced by the others and went down the wrong path. When I was arrested and brought to the federal jail, it was shocking. Never did I think I'd be sitting here for three years. The experience has been horrible. There are 26 ~~per~~ people in one room. It is always loud, and always tense. There are arguments over the phones and email. I am only permitted to be outside three times each week, for one hour. I can feel my health getting worse every day. My family lives in Kosovo. I have not seen my father in six years, and have seen other family members only very rarely. When my uncle who I

2

was very close to died in 2010, I couldn't go to the funeral. My fiance of more than five years left me after I was not able to get her on my visiting list. I have not seen her since my arrest.

I left Kosovo because of the war there. I was 18 years old at the time. I had planned on going to college to educate myself, but the war ruined that. When I came to the US, I only spoke a little bit of English. I worked as a dishwasher in a restaurant. I worked 60 hours a week for less than minimum wage. I saw people who had a lot more than me, and became wrongly obsessed with clothing, cars and other things like that. I now realize that I was nothing but a young kid.

I did not know what is important, and now I have lost both my freedom, and any chance of having a future in this country. I had an opportunity when I was able to come to this country. I deeply regret wasting that opportunity by the way I lived my life. I came to love this country and this city. I see myself as an American person. I thought that I would raise a family here.

Realizing that that will not occur because I will be deported has been very hard to accept.

I can't explain how upsetting it is that I have two cases. I had no idea when I pleaded guilty in the Southern District that I would be charged again, My lawyer has

3

explained this situation to me but i disagree.

Why couldn't this have all happened at once? I feel like I was tricked when I pleaded guilty in the Southern District, only to have this other case a few months later. Obviously I'm not a lawyer and Therefore did not know much about the law. Had I known better the 33 months sentence I received in the S.D.N.Y. Would have been all the government could charge me with. I now know this is all the same conspiracy. I also know the only way to properly persue this issue would be to pull my plea and that is not my intention. I would never allow my co defendants to lose the 2 level global plea reduction on my account. I just want your Honor to be aware of what has transpired and sentence me as fairly as possible with all the facts at your disposal.

I wish that I could change my past actions, but that is impossible. All i can do is promise that I will never do anything like this again, that I will try to educate myself in prison, and that I will work to make a contribution to the place where I live when I get out.

Yours truly,

GJEVALIN BERISHA.

STATEMENT

We, as a close family consisting of six members:

1. Mikel Berisha born in 1955, father,
2. Angie Berisha born in 1958, mother,
3. Gjevalin Berisha born in 1980, son
4. Donika Berisha born in 1984, daughter
5. Dafina Berisha born in 1988 daughter and
6. Arta Berisha born in 1993, daughter,

united and with the same opinion however excluding our son Gjevalin who at the moment is in the prison of the United States, hereby state as follows:

Gjevalin was born and raised in very difficult financial conditions but in an honorable and noble family. He finished the elementary school with an excellent success and gained knowledge from his talent for lessons.

As parents we were educated and we wished for our children to become educated therefore we enrolled Gjevalin in the secondary school of the Gymnasium.

Back then the financial and political situation was difficult and unbearable in the entire territory of Kosovo because of the former Yugoslavian regime and because the Albanian people were oppressed and prosecuted and their rights were drastically violated by the regime of Milosevic.

Gjevalin was enrolled in the gymnasium but he would never sit on a school desk but only in simple stools in private houses because the former Serbian - Montenegrin regime didn't allow the students to go to schools that were built by their fathers.

After four years he finished the gymnasium with an excellent success but the war against the Albanians by the Serbian regime had already started and we couldn't support him financially about further university studies, because his father was a teacher and the salary was interrupted for 10 years by the former Yugoslavian regime. Our only incomes came from Albanians who were scattered across the world and send assistance from time to time.

Our beloved son Gjevalin saw the difficult financial and political situation, even though he had just passed adolescence, and couldn't agree with the difficult situation and one day in August 1998 he stood before his family and said:

"I am going to leave the country, with sadness I am saying to you that I'm going to go far away across seas and oceans to the Promised Land called America."

For a few minutes we became silent and couldn't agree with this idea, but his choice was already made.

Since we didn't have any money close by, we were obligated to borrow from our relatives and the next day he left.

For our family this was like a cold shower, tears became to drop and our hearts suddenly started crying.

He left from city to city throughout the beloved Kosovo, he crossed mountains and fields, he traveled up and down, and finally after seven weeks of travel he arrived in the faraway Promised Land America.

"Dear parents and sisters, I have arrived in the great State of America, where hope and law, security, economy and democracy exist."

We couldn't eat for days and couldn't sleep for nights because a family member was absent, a good worker, "the light of my eyes" as his mother used to say.

After a while he started to work at a restaurant as a dish washer. Time passed fast and he started to work 16 hours a day, and from his sweat the first incomes arrived which made him very happy because he would start to save the money and from these savings he would help his family.

We was very concerned because we were still in the war and our life could be threatened every day, but thanking God and the Great State of America and the nineteen States of NATO who bombarded many locations of the Serbian State, Kosovo was finally liberated and we, the family of Gjevalin, were saved.

When the war ended Gjevalin didn't have the right to return to his country but he risked by preparing the documents which allows him to stay in America and came to Kosovo.

The reason of his coming was because he missed us and his friends very much, but the main reason was that he came to visit his father Mikel who was captured during the war by the Serbian police and military and who was beaten and molested, because back then Mikel was an employee of the school and schools were forbidden in the program of the Serbian - Montenegrin regime. Thanks to his agility he escaped alive from their claws.

Even though his visit was very short he returned to America and worked in the restaurant and from the saved money he helped his family to build the bombed and destroyed house by the Serbian barbarians.

On 19th of June 2005 we received terrible news saying that Gjevalin had a traffic accident in the streets of New York. It was a huge pain and a cold shower for our family.

Even though he broke his leg and damaged some body parts, thanks to the Lord and to American medicine, our son was saved from the worst.

Years passed very fast and our son was working and helping us with what he could until June 2010. In this month our family suffered bad and

unwanted news. The news was that Gjevalin was arrested and was being held in prison with different kind of charges but especially for dealing with narcotic substances - marihuana.

Oh Lord what happened to our son? Is it possible, is it true?

Our beloved son was never like this and we as family didn't agree with such actions that endanger his life and the life of others. We have always advised him on paying attention and being careful because you don't break the rules of the State which is feeding you and is giving you freedom because in America there is the Law and the Discipline and the people who break it are sanctioned and sentenced by the law.

What can our family do or say?

Please we beg you for his sins and mistakes and we are begging the Almighty God to forgive him his sins.

We also appeal to the American Court and the honorable madam Irizarry who is leading the court hearing against all of the accused and our son Gjevalin.

Dear honorable madam, may God bless you and your family and your kin.

Our family doesn't have any doubts about your skills on serving justice.

Our family is humbling before you and we beg you and the honorable jury if you can find it in your heart to show some mercy for them and for my beloved son.

Dear madam Judge, please judge and act as a merciful mother as you would have mercy for your own children.

May the Lord bless you and your family.

We hope that this time the magic wand of justice is going to be easier and merciful.

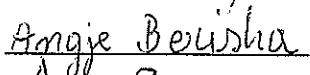
We would be thankful and grateful for our entire life.

Respectfully,
Berisha Family
F. Jahoc/Gjakova
Kosovo/Europe

Mikel Berisha



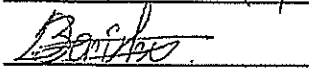
Angje Berisha



Donika Berisha



Dafina Berisha



Arta Berisha



Gjon Berisha
1963 Matthews Ave.
Bronx, NY 10462

May 2, 2013

Honorable Dora L. Irizarry
United States District Judge
Easter District of New York
225 Cadman Plaza East

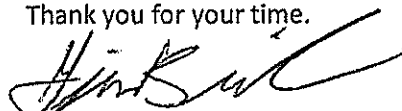
Dear Judge Irizarry,

I am writing to plead for your leniency when sentencing of my cousin Gjevalin Berisha, who is scheduled to appear in your court for sentencing on May 24, 2013. I've known Gjevalin his entire life and I can assure you that these recent circumstances are indicative of the kind of person he is.

Gjevalin made a terrible mistake, for which he is tremendously sorry, and I can only hope that will heavily on your mind when you make your decision. Gjevelin is deeply remorseful and only wants to do what he can to at least try to make things better for everyone involved. He has a strong family-oriented background, has always tried to do the right thing. So I ask that you please use your best judgment, but make it possible that Gjavelin can return to his family in Kosova as soon as possible.

If you have any further questions, please feel free to contact me on 646-765-0007.

Thank you for your time.



Gjon Berisha

May 6, 2013

Honorable Dora L. Irizarry
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Honorable Judge Irizarry,

This letter is being written by the undersigned on behalf of Gjevalin Berisha who is being sentenced for charges against him. Having known Gjevalin for all of my life, I was taken aback when I heard of the charges filed against him. We know each other our entire lives and this entire incident seems extremely out of character for someone like Gjevalin.

Gjevalin has always been very dedicated to both his immediate family in Kosovo and his extended family here in the U.S., especially the children. He adores and is adored by all of his nieces and nephews, including my daughter. Prior to his arrest, he never missed any of her birthdays and always made time for her. When my son was born in November of 2010 he made it a point to reach out to me and congratulate me. It pains me that he has yet to see my son as I know he would love him very much.

I am aware that Gjevalin is being sentenced because he has broken the law but I believe that if true, it could only be due to bad influence. I humbly ask you to please consider all that I have conveyed to you when determining Gjevalin's sentence. A more lenient sentence will benefit him because he has a strong family support system.

If you have any further questions, please feel free to contact me on 917-691-8248.

Sincerely,



Ilir Berisha
815 Mace Avenue
Bronx, NY 10467
917-691-8248

Lek Berisha
815 Mace Avenue
Bronx, NY 10467
718-231-0613

May 2, 2013

Honorable Dora L. Irizarry
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Your Honor,

I am writing to you on behalf of my first cousin, Gjevalin Berisha. Gjevalin grew up in Kosovo and is a little younger than I am but our family is very tight-knit and we've always been very close. I have known Gjevalin for practically his entire life and I consider him to be more like a brother than a cousin. We've spent a lot of time together since he's come to the U.S. and he was always a big part of family gatherings and events.

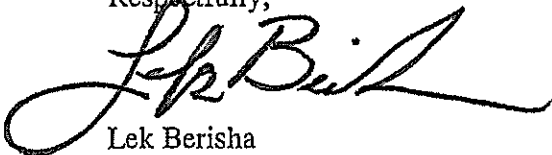
Gjevalin has always been very dedicated to both his immediate family in Kosovo and his extended family here in the U.S., especially the children. He adores and is adored by all of his nieces and nephews, including my two sons. Prior to his arrest, he never missed any of their birthdays and always made time for them.

As you might imagine, I was very shocked and saddened when I learned about Gjevalin's arrest and the nature of the charges against him. It has been a very difficult period for me and the entire family not having him in our everyday lives. He calls us often and is very remorseful and ashamed at the pain he knows he has caused the family. Above all else, he values family honor and traditions and is extremely disappointed in himself for letting us all down.

I wholeheartedly believe that Gjevalin's is the classic case of a good natured person getting caught up with the wrong crowd and making bad decisions and that is why I am asking that you please consider all that I have conveyed to you when determining Gjevalin's sentence. A more lenient sentence will benefit him because he has a strong family support system to help get him back on the right path and that we will all do whatever it takes to help him get there.

Thank you for the taking the time to read this letter and hope it helps your decision.

Respectfully,

A handwritten signature in black ink, appearing to read 'Lek Berisha', with a stylized, flowing script.

Lek Berisha

Loranc Berisha
1963 Matthews Ave.
Bronx, NY 10462

May 2, 2013

Honorable Dora L. Irizarry
United States District Judge
Easter District of New York
225 Cadman Plaza East

Dear Judge Irizarry,

I am writing you today on behalf of Cousin Gjavelin Berisha, who is scheduled to appear in your court for sentencing on May 24, 2013. Gjavelin asked me to write a character reference letter, but the truth is I was already planning on doing so before his request. I feel strongly about Gjavelin and about his future, and I want to try to make you feel the same way.

Gjavelin is a person of good moral character. I realize that might seem hard to believe, given the circumstances but it's true nonetheless. I have known Gjavelin his entire life, I've seen him go through ups and downs but all the while I'm convinced that he is a decent person at the core. He just needs more people to believe in him so that he can become the person I know he can be. Our entire 40+ family members in the US have pledged to help Gjavelin turn his life around and become a productive person in society.

Gjavelin has made mistakes, and he is incredibly remorseful, and is willing to do whatever it takes to make reparations, financially and emotionally, if possible. But to do that, he needs you to give him an opportunity to get a second chance. I recognize that Gjavelin broke the law, and I do not believe that he should get off without punishment. He has spent the last 35 months in MCC/MDC away from his family. I believe this experience has taught him some valuable lessons. I just hope you will recognize the power you wield with regard to the future of this young man, and make a fair decision.

If you have any further questions, please feel free to contact me at 347-680-3852.

Sincerely,



Loranc Berisha

Luz Berisha
1963 Matthews Ave.
Bronx, NY 10462

May, 2013

Honorable Dora L. Irizarry
United States District Judge
Easter District of New York
225 Cadman Plaza East

Dear Judge Irizarry,

My name is Luz Berisha. I am writing you today on behalf of Cousin Gjavelin Berisha, who is scheduled to appear in your court for sentencing on May 24, 2013. I have known Gjavelin his entire life. He's like a brother to me and my two brothers. He came to the United States as a young teenager as war was breaking out back home in Kosoava to financial support his mother, father and three sisters. He lived in my house from the first day when he arrived in the US until his arrest in 2010.

Gjevalin good hearted person that is always willing to listen and help anyone in need. When we learned of his incarcerated my entire family was stunned, as he's such a positive person, and I have never known him of conducting himself in a negative manner or contributing to unproductive non-positive activities. I cannot debate with you the legitimacy of the allegations that he is being charged with, I can only tell you that he is a good person, an intelligent and driven young man, and by no means a danger to society.

I respectfully ask you to take these words into consideration when sentencing him, I ask that your sentence be merciful and not punitive, and that you take into account all the people whose lives he has touched who will consequently miss him, and especially how his absence will affect the lives of his mother, father and three sisters that he supports.

If you have any further questions, please feel free to contact me at 917-523-7441.

Sincerely,



Luz Berisha

May 2, 2013

Honorable Judge Dora L. Irizarry
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Irizarry,

My name is Mark Berisha and I am writing this letter on behalf of Gjevalin Berisha. Gjevalin Berisha is my first cousin and I have known him my entire life. Although I have known him my entire life, it is after the war that occurred in Kosovo that I truly got to know him. He came to this country and lived with me and my family. Gjevalin has truly shaped my life in several ways. Two ways in which he has shaped my life are: showing me the importance of family and the importance of school.

One of the many things that Gjevalin always stressed is the importance of family. He always told me that no matter what, family always came first. No matter is how much you succeed and/or fail in life, your family will always be there. He told me "Mark, you are too young now, but one day, you will just how much the family is there for you and will always love you regardless." He was always there for the family as we were for him as well and will continue to do so. I truly admire him for teaching me that family comes first no matter what. It is now, in my early twenties, that I see just how important it is to be there for my family as much as they have been for me. Now, in the time of need, support, and love, I will do my best to be there for Gjevalin as much as he done for me.

Another way that Gjevalin has shaped my life is stressing the importance of school. Since he came to this country, he has always stressed how important it is to do well in school and to stay in school. He was never good in school himself, but always told me that in order to be someone in this country and to succeed in life, you have to stay in school and do in school as well. My parents did not know how to help me with my assignments and projects in school due to the language barrier; he was there to help me. He tried his best to help me. When he lived in my house for several years, he made sure I did all my assignments as well as helped me with certain subjects and/or topics that I did not comprehend well. Whenever I did well on assignments and exams, I thought about him and his efforts to help me and I will forever be grateful because of him.

Gjevalin has expressed on several occasions his regrets for his actions and I know that he is sincere about his regrets due to the person he truly is and the person I have known all my life. I truly hope that this letter shows the person he can be and is until present day. No matter what, I remain to be there and love him regardless because that is what family is for!

Cordially,

A handwritten signature in black ink, appearing to read 'Mark Berisha', with a stylized, flowing script.

Mark Berisha

May 2, 2013

Honorable Dora L. Irizarry
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Honorable Judge Irizarry,

I am writing to you on behalf of my nephew, Gjevalin Berisha. Gjevalin is my brother Mikel's only son. I have known Gjevalin for all of his life and love him as much as any of my nieces and nephews.

I was very disappointed when I learned about Gjevalin's arrest and the charges brought against him. We have had many lengthy conversations since his arrest and he's helped me to understand what he's done and the trouble he's in. Gjevalin has often expressed his regret and embarrassment over the entire situation and now fully understands the consequences of his actions, thus his willingness to accept whatever sentence is bestowed upon him and pay for his crimes. He is also deeply hurt and disappointed in himself for the pain and suffering he knows his family is going through.

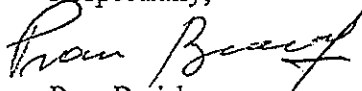
For as long as I've known him, Gjevalin has always treated me and my family with love and the utmost respect. He is fiercely loyal and has a tremendous amount of family pride and honor. When he first came to the U.S., I gave him a job as a bus boy at the restaurant I was managing in the Bronx and he showed a tremendous work ethic and dedication to the job. Through hard work, he was promoted to waiter and was a very charismatic and charming presence in the dining room until he resigned to pursue an opportunity with a restaurant in Manhattan. This is the point I believe where he began to meet new friends and be influenced by the wrong crowd.

I am pleading with you be as lenient as the law allows when you make your decision on Gjevalin's sentencing as I believe he is truly sorry for what he's done and knows that none of what he's done was right nor was it worth the embarrassment he has caused himself and the pain and suffering he's put the family through.

As you may already know, I have already discussed and advised the parole officer that I would be willing to allow Gjevalin to live with me if he was to be released early. I would not have agreed to that if I thought for one second that Gjevalin was not ready to put this behind him and move forward with his life. Please take this into consideration when determining his sentence.

Thank you for your time.

Respectfully,



Pran Berisha
1965 Matthews Avenue
Bronx, NY 10462
917-541-3833

Honorable Dora L. Irizarry
United States District Judge
Easter District of New York
225 Cadman Plaza East

Dear Judge Irizarry,

Vitore Berisha-Delija aunt of Gjevalin Berisha, hereby together with my husband Sokol and my children Mentor, Mirjeta, Migjen state as below:

We state that Gjevalin Berisha is the son of my brother Mikel Berisha. Gjevalin is a sweet guy, intelligent and very kind in conversation. During the secondary school education Gjevalin was an excellent student, very skillful and joyful.

His family and our family were in poverty and i was hard to educate the children appropriately. Also the former state politics in Kosova was very bad and unacceptable for Albanian people, because of terror that came from the Serbian State against the unprotected people.

Gjevalin couldn't bear the poverty and during our conversations he told me:

Dear Aunt, I have decided to leave Kosova and to go far away to America in the place where the law is executed and economy is developed, democracy rules, and the human rights and freedom is respected. America is a place of hardworking people that respects your work with solid salaries.

I didn't want him to leave his house, because his parent's didn't have another son and it is an Albanian custom to have two or more sons on every family.

But he decided to leave and he didn't listen to us or to his parents and left to the far away America. We were very upset and our hearts started to cry but he was already gone.

A few weeks passed and the phone rang, it was a call from New York and it was Gjevalin.

Aunt I'm fine, I just wanted to say to you that i found a job and I'm staying in America. I'm working as a waiter and things are good, and I will send financial assistance to you and my family very soon. Then after a few months the assistance arrived in my family and his family.

In the beginning it was hard to accept the help but since the elementary thing were missing in our table we accepted them. My kids were young and they went to school without books and school bags, but Gjevalin was the one who made them happy with notebooks, school bags and clothing. Now our family and his family were happy, because the table was full with food and also our stomach was full. And for all of these good things and happiness that came from him we only have one prayer for God, we wish to

return and to award him with all of the good things that he has done for our family, and we would be grateful for our entire life.

When we received the news that Gjevalin was imprisoned our family was stunned with disbelief. Since the day of the arrest and until today, the entire family has prayed for his return home to Kosova. We respectfully ask you to take these words into consideration when sentencing our beloved Gjevalin.

Thank you for your time

Vitore Delija, Sokol Delija, Mentor Delija, Mirjeta Delija and Migjen Delija